

See 101  
136 x 1504.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Attorney Docket No. : 2932-B

John E. Sims and Blair R. Renshaw

Group Art Unit: 1646

Serial No.: 09/976,472

Examiner: Unknown

Filed: October 11, 2001

For: IL-1 ETA DNA AND POLYPEPTIDES

Assistant Commissioner for Patents  
Customer Service Center  
Initial Patent Examination Division  
P.O. Box 2327  
Arlington, VA 22202

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF A  
NONPROVISIONAL APPLICATION**

In response to the Notice to File Missing Parts of Application having a mailing date of December 18, 2001, a Declaration executed by the inventors of the above-identified application is enclosed. We also enclose a Statement Under 37 C.F.R. 3.73(b) and Power of Attorney by Assignee with a copy of the executed Assignment attached.

Applicants are also enclosing in response to the Office's request a computer readable diskette (including a paper copy) containing the sequence listing as filed with the application since the requested compliant CRF could not be located. The required Sequence Statement is also included.

Applicants hereby authorize the Commissioner to charge the required \$740 filing fee, \$54 for three (3) claims over 20, \$336 for four (4) additional independent claims, and the \$130 surcharge, for a total of \$1260, or any other fee required for the filing of the enclosed documents, even if different from that calculated above, or crediting of any overpayment, to Deposit Account No. 09-0089. A copy of this paper is enclosed for that purpose, along with a copy of the Notice.

Respectfully submitted,

*Janis C. Henry*  
Janis C. Henry  
Registration No. 34,347

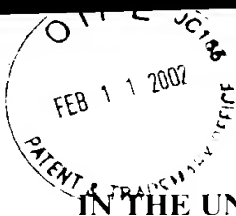
Immunex Corporation  
Law Department  
51 University Street  
Seattle, WA 98101  
Telephone (206) 587-0430

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to: Assistant Commissioner for Patents, Customer Service Center, Initial Patent Examination Division, Arlington, Virginia 22202, on the date indicated below.

Date: February 7, 2002

Signed: Janis C. Henry



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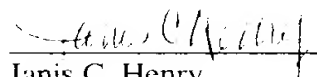
**STATEMENT UNDER 37 CFR 1.821(f)**

Assistant Commissioner for Patents  
Customer Service Center  
Initial Patent Examination Division  
P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

Applicants by their undersigned representative hereby state that the contents of the paper copy and the computer-readable form (CRF) copy of the Sequence Listing submitted herewith are the same.

Respectfully submitted,

  
\_\_\_\_\_  
Janis C. Henry  
Registration No. 34,347

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Law Department  
51 University Street  
Seattle, WA 98101  
Telephone (206) 587-0430



FEB 11 2002

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20230  
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/976,472	10/11/2001	John E. Sims	2932-B

22932  
IMMUNEX CORPORATION  
LAW DEPARTMENT  
51 UNIVERSITY STREET  
SEATTLE, WA 98101

CONFIRMATION NO. 9942

## FORMALITIES LETTER



\*OC000000007207328\*

Date Mailed: 12/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/14/2002 BNGUYEN1 00000004 090089 09976472

FILED UNDER 37 CFR 1.53(b)

01 FC:101	740.00 CH
02 FC:103	54.00 CH
03 FC:102	336.00 CH
04 FC:105	130.00 CH

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$390.
  - \$54 for 3 total claims over 20.
  - \$336 for 4 independent claims over 3.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1260.**
- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216

- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

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*A copy of this notice MUST be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE